

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

April 9, 2021

Chief Judge Diane S. Sykes

No. 07-21-90015

IN RE COMPLAINT AGAINST A JUDGE:

MEMORANDUM

Complainants filed a misconduct complaint against the judge who presides over their civil-rights case. Their complaint relates to a delayed ruling on their motion to alter or amend the judgment. Allegations of delay do not raise a cognizable basis for a misconduct complaint absent evidence of improper motive or habitual delay in a substantial number of cases. *See* Rule 4(b)(2) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings. No such evidence exists here. To the extent that the allegation challenges the correctness of the judge's official actions, it is not a proper ground for a misconduct complaint. 28 U.S.C. § 352(b)(1)(A)(ii). "Any allegation that calls into question the correctness of an official action of a judge ... is merits related." Standard 2 for Assessing Compliance with the Act, *Implementation of the Judicial Conduct and Disability Act of 1980: A Report to the Chief Justice* 145 (2006).

The complaint is dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(ii) and (iii).